

SENATE JUDICIARY
Exhibit No. 9
Date 9 JAN 07
3815

EANGMT RESOLUTION 06-11

Pertaining to:

LEGISLATION OUTLAWING DISRUPTIVE PROTESTS AT MILITARY FUNERALS

Background:

A dozen states have taken action to protect the sacred rights of the military funeral from protesters whose goal is to disrupt the service with fighting words or hate speech. Many groups have taken advantage of military funeral settings to promote their cause during burial ceremonies at cemeteries. Dozens of other states are currently proposing such legislation.

Anti-war protestors, gay rights organizations and others are causing disruption of an otherwise solemn, civil burial ceremony. While it is not known if there have been any reported instances within Montana, the possibility does exist. Most legislation proposes a 200 to 400 foot buffer zone around the place a burial is taking place, a funeral is being conducted or a funeral procession is passing by. Protesters may not block entrances to cemeteries or protest with "fighting words" or "hate speech" a set time before and after a funeral honors service.

Montana has a large population of military members and veterans. These members deserve the honor of a solemn and dignified burial service without interference.

Recommendation:

That the Enlisted Association of the National Guard of Montana, in General Conference at Whitefish, Montana, this 29th day of April 2006, request the Governor of Montana and the 60th Legislature to pursue legislation to block protests at military funerals.